

REMARKS

The above amendments to the above-captioned application along with the following remarks are being submitted as a full and complete response to the Office Action dated January 24, 2006 (U.S. Patent Office Paper No. 121505). In view of the above amendments and the following remarks, the Examiner is respectfully requested to give due reconsideration to this application, to indicate the allowability of the claims, and to pass this case to issue.

Status of the Claims

As outlined above, claims 1-6, 8-17, and 19-20 stand for consideration in this application, wherein claims 7 and 18 are being canceled without prejudice or disclaimer, while claims 1, 5, 9, 12, and 16 are being amended to correct formal errors and to more particularly point out and distinctly claim the subject invention. In addition, new claim 20 is hereby submitted for consideration. All amendments to the application are fully supported therein. Particularly, support for new claim 20 may be found on page 40, line 5- page 41 line 10 of the specification and Fig. 10. Applicants hereby submit that no new matter is being introduced into the application through the submission of this response.

Formal Rejections

Claim 9 was rejected under 35 U.S.C. §112, second paragraph, for being as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. In particular, the Office Action contends that claim 9 is unclear and indefinite on the ground that it fails to particularly point out what each variable is within the claim.

Claim 9 is being amended to provide the definitions of L_x and L_y . Support for this amendment may be found on page 15, lines 9-17 of the specification. Accordingly, withdrawal of this formal rejection is respectfully requested.

Prior Art Rejections

The First 35 U.S.C. §103(a) rejection

Claims 1-19 were rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Summerell (U.S. Pat. No. 5,937,387) in view of Campbell (U.S. Pat. No. 6,059,724). This rejection is respectfully traversed for the reasons set forth below.

According to the Manual of Patent Examining Procedure (M.P.E.P. §2143),

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both not found in the prior art, not in the applicant's disclosure.

Claim 1

The Office Action contends that Summerell discloses a health management support method implemented in a computer-based data processing system for generating life expectancy data to be used in a health management system, comprising: (a) providing a database for storing healthy life expectancy prediction data that represents transition of a percentage of normal people in each result of health screening; (b) generating health screening report data for each person who undergoes health screening by data entry means except that Summerell fails to expressly disclose (c) generating personal healthy life expectancy prediction data by selecting at least one of said healthy life expectancy prediction data based on said inputted health screening report data for each said person, (d) estimating a predicted period of healthy life expectancy of each said person, by calculating based on said selected personal healthy life expectancy prediction data; and (e) outputting said estimated predicted period of healthy life expectancy of each said person.

The Office Action further contends that Campbell discloses the steps of (c) – (e), and that it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Campbell with the teachings of Summerell with the motivation of providing a means of predicting the outset of health problems.

Regarding the limitation as recited in claim 7, which is now incorporated into claim 1, the Office Action further contends that Summerell discloses this limitation on col. 4, lines 65-76 and col. 5, lines 1-11, as well as in the previous Office Action. Applicants respectfully disagree.

The present invention is directed to a health management support method implemented in a computer-based data processing system for generating life expectancy data to be used in a health management system. The distinctive features of the present invention as now recited in claim 1, among other features, are 1) preparing medical payment prediction

knowledge data as basic data for predicting medical payment from a diversity of healthy life expectancy and 2) calculating a predicted amount of future medical payment of the each person who undergoes health screening based on the predicted period of healthy life expectancy of the each person and the medical payment prediction knowledge data.

Contrary to the Office Action, Summerell merely shows that an insurer calculates health and life insurance premiums based on the information about an applicant's age, sex, exercise, diet, habit, health history and conditions. Summerell does not explicitly or implicitly teach or suggest that a predicted amount of future medical payment of an applicant is calculated based on the predicted period of healthy life expectancy of each person and the medical payment prediction knowledge data for predicting medical payment from a diversity of healthy life expectancies. Summerell also does not explicitly or implicitly teach or suggest that the amount of health and life insurance premiums corresponds to a predicted amount of future medical payment, or is calculated based on a predicted amount of future medical payment.

Furthermore, in the present invention, information to calculate a predicted amount of future medical payment of an applicant is collected through health screening. In contrast, Summerell merely shows that an insurer administers a questionnaire to an applicant to collect the information about age, sex, exercise, diet, habit, health history and conditions. Summerell does not show that information about an applicant is collected through health screening.

Campbell merely shows a computer-based system for predicting future health of individuals based on the values of "biomarkers" which are any biological indicator that may affect or be related to diagnosing or predicting an individual's health. However, Campbell does not explicitly or implicitly teach or suggest that medical payment prediction knowledge data is prepared as basic data for predicting medical payment from a diversity of healthy life expectancies and a predicted amount of a predicted amount of future medical payment of an applicant is calculated based on the predicted period of healthy life expectancy of the each person and the medical payment prediction knowledge data.

Furthermore, there is no suggestion or motivation in either Summerell or Campbell to combine these features explicitly or implicitly, or in the knowledge generally available to one of ordinary skill in the art at the time the invention was made to embody all the features of the invention as now recited in claim 1. Accordingly, claim 1 is not obvious in view of all the prior art.

Claims 2-11

As to dependent claims 2-11, the arguments set forth above with respect to independent claim 1 are equally applicable here. The base claim being allowable, claims 2-11 must also be allowable.

Claim 12

Claim 4 has the substantially same features as those of claim 1, upon which claim 2 depends, particularly with respect to the steps of 1) preparing medical payment prediction knowledge data as basic data for predicting medical payment from a diversity of healthy life expectancy and 2) calculating a predicted amount of future medical payment of the each person who undergoes health screening based on the predicted period of healthy life expectancy of the each person and the medical payment prediction knowledge data. As such, the arguments set forth above are equally applicable here. Claim 2 being allowable, claim 4 must also be allowable.

Claims 13-19

As to dependent claims 13-19, the arguments set forth above with respect to independent claim 12 are equally applicable here. The base claim being allowable, claims 13-19 must also be allowable.

The Second 35 U.S.C. §103(a) rejection

Claim 11 was rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Summerell in view of Campbell as applied to claim 1 above, and further in view of Joao (U.S. Pat. No. 6,283,761). This rejection is respectfully traversed for the reasons set forth below.

The Office Action contends that Summerell fails to expressly disclose the health management support method according to claim 10, wherein medical data has medical fee bill data. The Office Action further contends that Joao discloses the health management support method according to claim 10, wherein medical data has medical fee bill data, and that it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Joao with the teachings of Summerell with the

motivation of providing an apparatus and method for performing healthcare diagnoses. Applicants respectfully disagree.

Contrary to the Office Action, as set forth above, claim 1 is not obvious over Summerell in view of Campbell. Furthermore, Joao shows that the processor generates a claim form for submission to a healthcare payer and a healthcare insurer. In other words, Joao merely shows that actual medical fee bills, not predicted future ones, are generated. Joao says nothing about that medical payment prediction knowledge data is prepared as basic data for predicting medical payment from a diversity of healthy life expectancy and a predicted amount of a predicted amount of future medical payment of an applicant is calculated based on the predicted period of healthy life expectancy of the each person and the medical payment prediction knowledge data.

Furthermore, there is no suggestion or motivation in either Summerell, Campbell and Joao to combine these features explicitly or implicitly, or in the knowledge generally available to one of ordinary skill in the art at the time the invention was made to embody all the features of the invention as recited in claim 1, upon which claim 11 depends. Accordingly, claim 11 is not obvious in view of all the prior art.

Conclusion

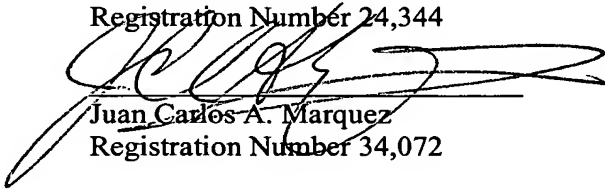
In view of all the above, Applicants respectfully submit that certain clear and distinct differences as discussed exist between the present invention as now claimed and the prior art references upon which the rejections in the Office Action rely. These differences are more than sufficient that the present invention as now claimed would not have been anticipated nor rendered obvious given the prior art. Rather, the present invention as a whole is distinguishable, and thereby allowable over the prior art.

Favorable reconsideration of this application as amended is respectfully solicited. Should there be any outstanding issues requiring discussion that would further the

prosecution and allowance of the above-captioned application, the Examiner is invited to contact the Applicant's undersigned representative at the address and telephone number indicated below.

Respectfully submitted,

Stanley P. Fisher
Registration Number 24,344



Juan Carlos A. Marquez
Registration Number 34,072

REED SMITH LLP
3110 Fairview Park Drive
Suite 1400
Falls Church, Virginia 22042
(703) 641-4200

May 24, 2006